



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: July 8, 2019

Application:	MP19-0009, Minor Plat for Bradford Trails Fourth Plat		
Location:	Northeast corner of the intersection of W. 138 th Place and W. 139 th Street		
Owner/Applicant:	Judith E. Wagner, J & R Property Holdings, LLC		
Engineer:	Jerald Pruitt; Pruitt and Dooley Surveying, LLC		
Staff Contact:	Zachary Moore, Planner II		

Site Area:	<u>0.43± acres</u>	Use:	<u>Duplex</u>
Lots:	<u>3</u>		
Tracts:	<u>0</u>	Current Zoning:	<u>R-2</u>

1. Comments:

The following application is a minor plat for Bradford Trails Fourth Plat, containing three residential lots and no common tracts. This is a replat of the existing lots 110 and 111 of Bradford Trails Second Plat, which was recorded in December 1998. The existing lot 110 is the western half of an existing duplex building. There is an existing duplex building that has not yet been divided on the existing lot 111. The purpose of this replat is to shift the lot line between the existing lots 110 and 111 slightly to the east, to provide a more uniform lot layout and to have the existing sidewalk of the eastern half of the existing duplex on lot 111 be fully located within the same lot. Currently, the existing sidewalk that serves the eastern half of lot 111 is partially located on lot 110, with an easement for access recorded on it. This replat will also renumber the lots; the existing lot 111 will be divided into the new lots 118 and 119, and the existing lot 110 will be renumbered as lot 120.

No public easements or right-of-way will be dedicated with this replat and therefore the plat will not require City Council acceptance.

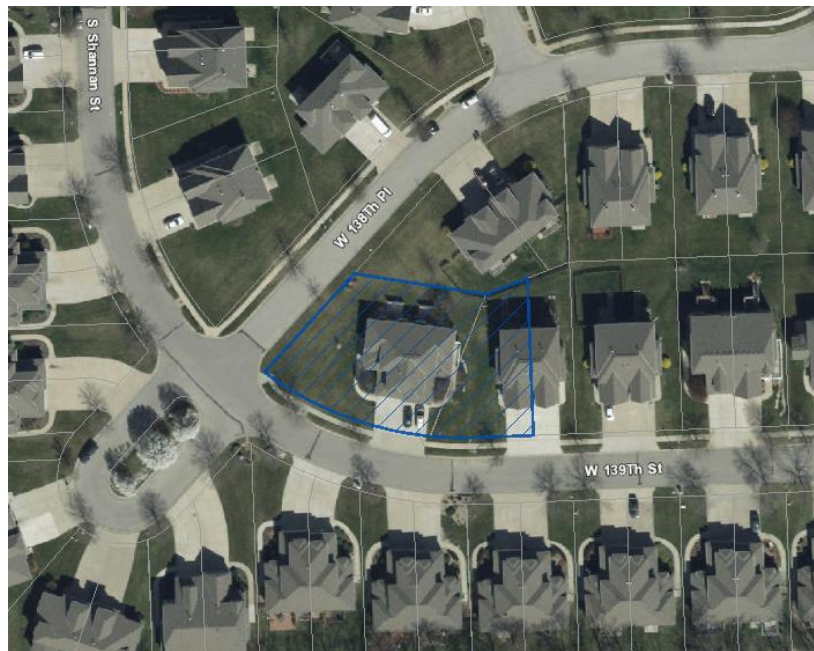
2. Plat Review:

- a. **Lots/Tracts** – The plat includes a total of three residential lots and no common tracts. The three lots vary in size from 5,027 square feet to 8,298 square feet. All lots within the replat exceed with the minimum lot size requirement of the R-2 District of 4,750 square feet. This replat will also bring the existing duplex into compliance with regard to building setbacks in the R-2 District. The minimum side yard setback for properties in the R-2 District is 7 feet. The current eastern wall of the duplex on the existing lot 110 (future lot 119) is approximately 5 feet from the eastern property line. With this replat, the nearest corner of the existing building will be approximately 16.3 feet from the new property line.

- b. **Public Utilities** – The subject property is located within the City of Olathe water and Johnson County Wastewater service areas. There is an existing Utility Easement (U/E) and Sanitary Sewer Easement (S/E) on the subject property that were dedicated on the Bradford Trails Second Plat. No new easements or changes to existing public easements are proposed with this minor plat application. The existing duplex building to be divided is required to meet the fire Code requirements along the new property line of the building that is to be subdivided. An affidavit affirming that at least a one-hour fire wall exists to separate the two units is required to be submitted, as a stipulation of this application, prior to recording the plat.
- c. **Streets/Right-of-Way** – Each of the three lots has an existing driveway off of W. 139th Street to the south. No changes to access, streets, or public right-of-way are proposed with this replat.

3. Excise Taxes

Chapter 3.35.050(B) of the Olathe Municipal Code states that any replat of previously platted land that was approved by the City is exempt from paying street and traffic signal excise taxes. Since this application is for a replat of previously platted property, no street or traffic signal excise taxes are required.



Aerial view of site



View of existing duplex at 14594 W. 139th Street

4. Staff Recommendation

Staff recommends approval of MP19-0009, minor plat for Bradford Trails Fourth Plat, with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (.pdf format) shall be submitted to the Planning Division.
- b. An affidavit affirming that a separation wall meeting the standards of at least a one-hour firewall exists between the units shall be signed and submitted to the Planning Division prior to recording the plat.